

REMARKS/ARGUMENTS

The Office Action mailed May 19, 2009, has been reviewed and these remarks are responsive thereto. Claims 3, 6, 11, 15, and 16 were previously canceled. No new matter has been added. Claims 1, 19 and 21 have been amended. Claims 1, 2, 4, 5, 7-10, 12-14, and 17-22 remain pending. Reconsideration and allowance of the instant application are respectfully requested.

Rejections Under 35 U.S.C. § 102

Claims 1, 2, 4, 5, 7-10, 14 and 17-22 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Pat. No. 6,516,205, hereinafter Oguma. Applicants respectfully traverse.

The rejection is in error by failing to give sufficient regard to the word “directly” in the wherein clause of each of claims 1, 19 and 21. In Oguma, VBUS and GND signals do not pass directly between the upstream and downstream sides 41, 42, 53, 54 of the bus, but pass via a power supply switching circuit 65 (i.e., not directly). In Oguma, D+ and D- signals do not pass directly between the signal lines 11, 12 and the signal lines 31, 32 of the bus, but pass via a power bus manager circuit 62 and a hub unit 63 (i.e. not directly).

The Office Action makes the conclusory statement on page 12 of the office action that “the bus manager circuit 62 as well as the hub 63 allow the USB data to pass through directly from the host to the device without any USB signal intervention and/or modification. In other words, the USB data bus passes the USB signal directly from the first port to the second port ...” which illustrates the Office’s improper interpretation of the word “directly”. The Office’s interpretation is not sufficiently reasonable even to meet the “broadest reasonable interpretation” requirement mandated by the MPEP.

For example, attached are results of a Google search for definitions of “directly”. Relevant terms in the results include “without deviation”, “without anyone or anything intervening”, “immediately: without delay or hesitation” (all wordnetweb.princeton.edu/perl/webwn) and “[i]n a direct manner”, “without anything intervening”, “not by secondary, but by direct means” (all en.wiktionary.org/wiki/directly).

None of the definitions provided on this page would seem to suggest that “directly” could encompass ‘via a bus manager circuit and a hub’, even if those were transparent in the sense that they did not provide any modification of the signals passing through. Also, none of the definitions provided on this page would seem to suggest that “directly” could encompass ‘via a power supply switching circuit’. Thus Oguma does not disclose “wherein the bus passes a signal *directly* from the first port to the second port responsive to the relinquishment of host status” (emphasis added), as is required by claim 1. The claims are allowable for this reason alone.

The amendments are supported in the derivative PCT application at page 8, line 31 to page 9, line 1 and by Figure 3. No new matter has been added. By these amendments the independent claims are further distinguished over Oguma. In particular, Oguma does not disclose connections of a first port connected directly to corresponding connections of a second port. In Oguma, VBUS and GND signals do not pass directly between the upstream and downstream sides 41, 42, 53, 54 of the bus, but pass via a power supply switching circuit 65 (i.e. not directly). In Oguma, D+ and D- signals do not pass directly between the signal lines 11, 12 and the signal lines 31, 32 of the bus, but pass via a power bus manager circuit 62 and a hub unit 63 (i.e. not directly.)

Rejections Under 35 U.S.C. § 103

Claims 12 and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 6,516,205, hereinafter Oguma. Applicants respectfully traverse.

An effect of the differences between claim 1 and the disclosure of Oguma is that the apparatus of claim 1 does not need to consume power in order to provide pass-through functionality. In particular, after the apparatus relinquishes host status, devices attached to the first and second ports can communicate with one another without requiring involvement from the apparatus. In Oguma, on the contrary, operation is required because the power supply switching circuit 65, the power bus manager circuit 62 and the hub unit 63 need to be powered. Oguma thus is inferior in that, when not operating as a host, it may have higher power consumption and an increased possibility of technical error or failure compared to the claimed invention. At least for these reasons the amended claims are not obvious.

CONCLUSION

All rejections having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,
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